

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

Dennis Smith,

Plaintiff,

VS.

Performance Food Group, Inc.,

Defendant.

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CIVIL ACTION NO. H-03-5700

**MEMORANDUM AND ORDER**

Pending before the Court is Defendant's bill of costs. Plaintiff objects to the inclusion in the bill of an \$812 charge for an original videotape of Defendant's oral deposition of Plaintiff. Because it finds that the cost of the videotape was actually and necessarily incurred, the Court hereby **APPROVES** Defendant's bill of costs over Plaintiff's objection and **ORDERS** Plaintiff to pay to Defendant its costs in the amount of \$3,750.93.

**IT IS SO ORDERED.**

**SIGNED** at Houston, Texas, on this the 8th day of December, 2005.



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KEITH P. ELLISON  
UNITED STATES DISTRICT JUDGE

TO INSURE PROPER NOTICE, EACH PARTY WHO RECEIVES  
THIS ORDER SHALL FORWARD A COPY OF IT TO EVERY  
OTHER PARTY AND AFFECTED NON-PARTY EVEN THOUGH  
THEY MAY HAVE BEEN SENT ONE BY THE COURT.